

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHIEF AUTOMOTIVE SYSTEMS,	)	4:97CV3017
INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
JOHN ASTERINO d/b/a	)	
N.E. HOLDING CORP., a/k/a JOHN	)	
ASTERINO d/b/a NE BANKCO	)	
HOLDING CORP.,	)	
	)	
Defendants.	)	

John Asterino has previously left a telephone message with my chambers indicating that he is representing himself in this matter. In response, I entered an order advising him, among other things, that “if he represents himself, he must follow the rules generally applicable to lawyers.” (Filing 21.) Today, Asterino has sent a facsimile transmission to the Clerk of the Court, consisting of a handwritten motion for extension of time to respond to the order to show cause why he should not be held in contempt, and has sent another facsimile transmission to my chambers, consisting of the same handwritten motion sent to the Clerk and a letter. The facsimile submissions were not served on the opposing party.

Yesterday, an attorney named Donald Casey emailed documents to my chambers in this action. Those documents were not filed with the Clerk. The documents include a request for an extension of time to respond to the order to show cause, which represents that Mr. Casey was retained as counsel in this action on March 29, 2007.

Although neither the submissions from Mr. Asterino nor the email from Mr. Casey to my chambers comply with the local rules, it appears that Mr. Asterino seeks

additional time to respond to the pending order to show cause. I will give Mr. Asterino an additional 20 days to respond.

I will direct Mr. Asterino to have no further contact with my chambers, whether by telephone, facsimile transmission, or email, as he is represented by counsel. I will direct Mr. Asterino's lawyer, Mr. Casey, to review the local rules and CM/ECF administrative procedures, which are available on the Court's website: <http://www.ned.uscourts.gov/localrules/index.html>, and to comply with those rules and procedures. Among other things, Mr. Casey shall submit any documents for filing with the Clerk of the Court in accordance with local rules, and shall not send any documents to my chambers other than proposed orders accompanying motions properly filed with the Clerk of the Court.

IT IS ORDERED:

1. The Clerk of Court is directed to file the facsimile transmission received from Mr. Asterino today;
2. The Clerk of Court is directed to file the facsimile transmission received from Mr. Asterino by my chambers today;
3. The Clerk of Court is directed to file the motion for extension of time erroneously submitted to my chambers on April 9, 2007;
4. The Court hereby grants the defendant an extension of time until April 23, 2007 to respond to the pending order to show cause (filing 17);
5. Mr. Asterino is directed to have no further contact with my chambers, whether by telephone, facsimile transmission, or email, as he is represented by counsel;

6. Mr. Casey is directed to review the local rules and CM/ECF administrative procedures, which are available on the Court's website: <http://www.ned.uscourts.gov/localrules/index.html>, and to comply with those rules and procedures. Among other things, Mr. Casey shall submit any documents for filing with the Clerk of the Court in accordance with local rules, and shall not send any documents to my chambers other than proposed orders accompanying motions properly filed with the Clerk of the Court; and
7. The Clerk of the Court shall mail a copy of this order, and the facsimile submissions from Mr. Asterino, by regular postal service to Mr. Casey at the following address: P.O. Box 750, Avon, North Carolina, 27915.

April 10, 2007

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge